GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The Gram Nyayalayas Act, 2008 (Central Act No.4 of 2009) – Making of the Andhra Pradesh Gram Nyayalayas Rules, 2020 – Notification – Orders – Issued.

LAW (L, LA&J-HOME-COURTS-A) DEPARTMENT

G.O.MS.No. 39 Dated: 03-03-2020

Read the following:-

1. The Gram Nyayalayas Act, 2008 (Central Act No.4 of 2009)
2. From the Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Lr.ROC.No.1065/E1/2009, dated 22.01.2015.
3. Govt.Lr.No.26274/Courts.A/2009, dated 11.10.2017.
4. From the Registrar (Administration), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Lr.ROC.No.1065/E1/2009, dated 31.10.2017.
5. G.O.Ms.No.35, Law (L, LA&J-Home-Courts.A) Department, dated 26.02.2020.

ORDER:

The following notification will be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by the Article 309 of the Constitution of India read with Section 40 of the Gram Nyayalayas Act, 2008 (Central Act No.4 of 2009), the Government hereby make the following Rules for carrying out the provisions of the said Act, 2008.

1. SHORT TITLE AND CONSTITUTION:

i. These Rules may be called the Andhra Pradesh Gram Nyayalayas Rules, 2020

ii. The Service under these rules shall consist of the Gram Nyayadhikaris and personnel on ad hoc appointment.

2. APPOINTMENT:

Notwithstanding anything contained in the Andhra Pradesh Judicial Service Rules, the appointment of Gram Nyayadhikaris on ad hoc basis shall be made:

i. by direct recruitment from the members of the bar;
ii. appointment by transfer from among the staff of Subordinate Judiciary in the cadre of Superintendent (Cat.II) on deputation and the staff of High Court in the cadre of Assistant Section Officer in High Court Service;
iii. by recruitment on ad hoc basis of retired Judicial Officers.
iv. The ratio for appointment of the Gram Nyayadhikaris, is as follows:

By direct recruitment	:	03
By transfer	:	01
From retired Judicial Officers	:	01

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In case of non-availability of eligible candidates in the category of Superintendent (Cat.II) of the staff of the Andhra Pradesh Judicial Ministerial Service, Assistant Section Officers from the High Court service by transfer, and retired Judicial Officers, those vacancies be filled up by direct recruitment.

v. Appointments under Rule 2 (i) and (ii) shall be made on grounds of merit and ability, seniority being considered only when merit and ability are approximately equal.

vi. Appointments under Rule 2 (iii) shall be made on grounds of merit, ability and fitness.

vii. The remuneration is fixed to the Gram Nyayadhikari and Personnel of the Gram Nyayalayas as under:(**revised as per PRC -2015**)

Gram Nyayadhikari	:	Rs.27700-44770.
Head Clerk	:	Rs.29,760/- p.m.
Junior Assistant-Cum-Typist	:	Rs.16,400/- p.m.
Stenographer	:	Rs.22,460/- p.m.
Office Subordinate (Attender)	:	Rs.13,000/- p.m.

To fix the remuneration to the retired judicial officers who are appointed as Gram Nyayadikaris, according to their last pay drawn minus pension.

3. RULE OF RESERVATION:

The Rule of Reservation shall only be applicable for direct recruitment as provided under Rules 22 & 22 A in Part II of the Andhra Pradesh State and Subordinate Service Rules except in so far as it relates to physically handicapped persons.

The Rules 22 & 22 A of the Andhra Pradesh State and Subordinate Service Rules, 1996 in so far as they relate to physically handicapped i.e., Orthopedically handicapped (lower portion of the body) are made applicable to the appointment of Gram Nyayadhikaris, by direct recruitment, as in the case of recruitment of Junior Civil Judges / Judicial Magistrates of First Class, as per Rule 7 of the Andhra Pradesh State Judicial Service Rules, 2007.

4. QUALIFICATION AND AGE LIMIT:

A) The qualification and age prescribed for appointment of persons from the Bar in the Andhra Pradesh State Judicial Service Rules, 2007 for appointment, as Junior Civil Judges are applicable. Thus,

i. A holder of degree in law awarded by any University established by law in India.
ii. A person who has not completed the age of thirty five years; and
iii. A person of sound health and active habits and free from any bodily defect or infirmity, which render him, unfit for such appointment

B) Appointment by transfer among the staff of State Judicial Service and High Court Service.

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i. A holder of a degree in law awarded by any University established by Law in India
ii. A person who has not completed the age of forty eight years; and
iii. A person who is maintaining good character and conduct.

C) The upper age limit for the retired Judicial Officers is fixed as 68 years.

5. APPOINTMENTS, POSTINGS AND TRANSFERS:

1. (a) All appointments covered under Rule 2 shall be made by Government in consultation with the High Court.
(b) All postings and transfers of Gram Nyayadhikaris shall be made by the High Court.

6. SENIORITY :

Inter-se-Seniority of the Officers appointed from the Bar and Staff of Judicial Service or High Court Service shall be as per the seniority fixed at the time of appointment.

7. TERMS AND CONDITIONS:

1 (a) The Gram Nyayadhikaris appointed by direct recruitment from the members of the Bar shall be eligible for such perquisites and allowance for such term and on such conditions as the Government may prescribe at the time of appointment and on all subsequent occasion as the Government may deem fit and necessary. They shall be entitled to avail Casual Leave to which the Officer of State Judicial Service are entitled.

(b) A person appointed under Rule 2 shall not be regarded as a Member of permanent cadre covered under Rules for the Andhra Pradesh State Judicial Service, 2007, and shall not be entitled to any preferential right to any other appointment to this service or any other service and their service shall not be treated as regular or permanent under the State Government nor shall be a bar for appointment to the posts, covered under the Andhra Pradesh State Judicial Service Rules, 2007.

2 (a) The recruitment on ad hoc basis of retired Judicial Officers shall not be regarded as first appointment to the service and the same shall be on such terms and conditions and for such term the Government deems fit at the time of appointment or on all subsequent occasions. They shall be entitled to such Casual Leave as is available to the Officers of the Andhra Pradesh Judicial Service.

EXPLANATION:

(a) The terms of such recruitment on ad hoc basis shall include the conditions of service, Pay and Allowances, discipline and control, period of appointment and termination of service, etc.

(b) The service rendered by a person appointed under Rules shall not be counted for pensionary and other benefits.

3. The Gram Nyayadhikaris appointed under Rules shall be eligible to such salary, leave, other allowances and travelling allowance as fixed by the Government under Section 7 of the Gram Nyayalayas Act.

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8. APPLICATION OF THE ANDHRA PRADESH CIVIL SERVICES (CC & A) RULES 1991:

The Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 as are applicable to Andhra Pradesh State Judicial Service, 2007 or the Andhra Pradesh Revised Pension Rule, 1980 as the case may be shall apply to all the services under these rules Mutatis mutandis. The High Court reserves the right to terminate the services of any of the officer appointed under these rules with two months notice or on payment of two months salary, notwithstanding anything contained in any other law time being in force.

9. SAVE :

Notwithstanding anything contained in any other Law for the time being in force, all appointments made on ad hoc basis shall be deemed to be come to an end on framing regular rules under the Gramanyayalayas Act, 2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GONTU MANOHARA REDDY,
SECRETARY TO GOVERNMENT,
LEGAL AND LEGISLATIVE AFFAIRS & JUSTICE,
LAW DEPARTMENT.

To
The Commissioner of Printing, A.P., Muthyalampadu, Vijayawada – (with a request to publish the notification in the A.P. Gazette and supply 50 copies to the Government).
The Registrar General, High Court of Andhra Pradesh at Amaravati.
Copy to: The Accountant General, Andhra Pradesh, Ibrahimpatnam, Vijayawada.
The Pay & Accounts Officer, Andhra Pradesh, Ibrahimpatnam, Vijayawada,
The Finance (FMU-Home, Courts) Department.
The General Administration(Ser.B) Department,
The Law (C) Department.
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
The Secretary General, Supreme Court of India, New Delhi.
The Secretary, Ministry of Personnel & Public Grievances and Pensions,
Government of India, New Delhi.
The Advocates-on-Record, Supreme Court of India,
No-1 Ashoka Road, A.P. Bhavan, New Delhi.
The P.S. to Principal Advisor to Chief Minister.
The P.S. Chief Secretary to Government.
The P.S. to the Secretary, Law Department.
The SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER